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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,078	08/30/2005	Toshihiko Ura	061352-0094	2535
20277 7590 08/28/2007 MCDERMOTT WILL & EMERY LLP 600 13TH STREET, N.W. WASHINGTON, DC 20005-3096			EXAMINER TSIDULKO, MARK	
			ART UNIT 2875	PAPER NUMBER
			MAIL DATE 08/28/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

TH

<b>Office Action Summary</b>	<b>Application No.</b> 10/528,078	<b>Applicant(s)</b> URA, TOSHIHIKO	
	<b>Examiner</b> Mark Tsidulko	<b>Art Unit</b> 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-3,5 and 6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3 is/are allowed.
- 6) ☒ Claim(s) 1,2,5 and 6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                            |                                                                                         |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                           | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

## DETAILED ACTION

The submission of amendment filed on 6/18/2007 is acknowledged. At this point claims 1,3 and 5 have been amended, claim 4 has been canceled, new claim 6 has been added and claim 2 left unchanged. Thus, claims are at issue in the instant application.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Funamoto et al. (US 5,949,505).

Referring to Claim 1 Funamoto et al. disclose (Figs.2-4) a LCD including a light source [22] disposed along the end face of a light guide plate [20], a reflector [23a] enclosing a light source and reflecting a light emitted from the light source to the end face of the light guide and a housing including an upper case [2] and a lower case [3] and an opening portions provided on side walls of upper and lower cases against the reflector [23a].

Referring to Claim 5 Funamoto et al. disclose (Figs.2-4) a lighting unit and a liquid crystal panel [10] disposed on a front of the lighting device.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Funamoto et al. (US 5,949,505) in view of Matsuda et al. (US 5,929,950).

Funamoto et al. disclose the instant claimed invention except for convex portion formed on a housing.

Matsuda discloses (Fig.5) a liquid crystal display including a housing having an upper frame [2], a lower frame [8], a convex portion 8a and an opening portion formed on one of surfaces of the convex portion.

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to provide the housing of the device of Funamoto et al. with convex portion, as taught by Matsuda, in order to obtain engagement between portions of the housing.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Funamoto et al. (US 5,949,505) in view of (JP 04264488).

Funamoto et al. disclose the instant claimed invention except for housing made of insulative thermally conductive material.

(JP 04264488) discloses a lamp housing made of thermally conductive resin, which, as well known in the art, is an electric insulative material.

Art Unit: 2875

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to provide the housing of the device of Funamoto et al. made of thermally conductive resin, as taught by (JP 04264488), in order to prevent overheating of the device and prevent user from an electrical shock.

***Allowable Subject Matter***

Claim 3 is allowed.

The following is an examiner's statement of reasons for allowance:

the prior art of record fails to show a housing with a bent portion formed by inwardly bending a predetermined region and cutting a remaining portion, and a step portion formed by the bent portion, forming opening portion.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Response to Arguments***

Applicant's arguments filed 3/16/2007 have been fully considered but they are not persuasive.

Applicant argues that Funamoto et al. fails to show an opening portion formed to penetrate the housing toward the reflector.

Art Unit: 2875

In response, Fig.1 of Funamoto et al. absolutely clearly shows rectangular opening (through which conductors of the connector [7] are provided) penetrating the housing toward the reflector [23]. One half of this opening is on the sidewall of lower case [3] and second half of the opening is on the sidewall of the upper case [2] (see Fig.3). Also, as shown on Fig.2, an additional opening in the housing is provided for a tape electrode [6].

Applicant argues that Matsuda et al. fails to show that the opening portion is existing when frames 2 and 8 are connected to each other.

In response, one having ordinary skill in the art would have recognized, that the opening [2a] must be wider than width of stamped portion 8a, therefor relation between openings in the frames [2] and [8] is obtained. Also, it is understood, that any desired size of both openings can be provided. Using this structure for connection between upper and lower cases of Funamoto et al. simplifying forming the tooth [4] (stamping, if case is metallic, or molded, if case made of plastic). The tooth, as shown by Funamoto et al., are needed some kind of attachment means to be attached to the sidewalls of the case.

In response to Applicant's argument, that fails to show relationship between the locking lug and a reflector, the lower case of Funamoto et al. has a locking lug near reflector (see Fig.3).

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

Art Unit: 2875

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Tsidulko whose telephone number is (571) 272-2384. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M.T.

August 21, 2007

  
Sandra O'Shea  
Supervisory Patent Examiner  
Technology Center 2800